

Message Text

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TO USMISSION GENEVA IMMEDIATE

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C O N F I D E N T I A L STATE 135886

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJECT: CSCE POLICY: HUMAN CONTACTS-RELIGIOUS TRAVEL

REFS: (A) STATE 133621

(B) GENEVA 4276

1. AS INDICATED REF A DEPT HAS RESERVATIONS CONCERNING RELIGIOUS TRAVEL TEXT SET FORTH REF B. REFERENCE TO FAITHS BEING PRACTICED "WITHIN THE CONSTITUTIONAL FRAMEWORK OF THE RESPECTIVE PARTICIPATING STATES" APPEARS TO CONFER THE RIGHT TO HAVE CONTACTS AND MEETINGS ONLY ON CHURCHES AND FAITHS WHICH MEET THE CONSTITUTIONAL REQUIREMENTS OF THE PARTICIPATING STATES. WE WOULD VIEW THIS RESTRICTION AS BEING IN CONFLICT WITH THE ABSOLUTE RIGHT
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OF FREEDOM OF RELIGION EXPRESSED IN ARTICLE 18 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, SINCE IT WOULD PENALIZE FAITHS WHICH ARE NOT IN FAVOR WITH CERTAIN PARTICIPATING STATES. ACCORDINGLY, WE BELIEVE THAT THE

ABOVE-QUOTED REFERENCE TO CONSTITUTIONAL FRAMEWORK SHOULD BE DELETED. YOU MIGHT POINT OUT TO THE SOVIETS THAT THE PROVISION WOULD APPLY ONLY TO CHURCHES AND FAITHS "PRACTICING OR BEING PRACTICED WITHIN THE PARTICIPATING STATES" SO THAT IN A SENSE THEIR POINT IS COVERED THOUGH NOT EXPLICITLY.

2. WORDING OF TEXT APPEARS CLUMSY.SINCE CHURCHES AND FAITHS CANNOT,STRICTLY SPEAKINGHAVE CONTACTS AND MEETINGS, WE WOULD SUGGEST REFERRING TO THE REPRESENTATIVES OF CHURCHES AND FAITHS.

3. APPLYING THE ABOVE COMMENTS TO THE TEXT, A REVISED TEXT SATISFACTORY TO THE DEPT WOULD BE AS FOLLOWS:
"THEY CONFIRM THAT REPRESENTATIVES OF CHURCHES AND FAITHS, PRACTICING OR BEING PRACTICED WITHIN THE PARTICIPATING STATES, CAN HAVE CONTACTS AND MEETINGS AMONG THEMSELVES WITHIN THEIR FIELD OF ACTIVITY."

4. TEXT IS NOT ENTIRELY CLEAR THAT CONTACTS AND MEETINGS REFERRED TO ARE TO BE AMONG REPRESENTATIVES OF CHURCHES AND FAITHS RESIDING IN DIFFERENT PARTICIPATING STATES SO THAT DELEGATION SHOULD SEE THAT NEGOTIATING HISTORY IS CLEAR THAT THIS IS INTENT OF PARAGRAPH.

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